



# House of Representatives

General Assembly

**File No. 97**

February Session, 2004

House Bill No. 5405

*House of Representatives, March 17, 2004*

The Committee on Program Review and Investigations reported through REP. WASSERMAN of the 106th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING CORRECTION OFFICER STAFFING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) Not later than thirty days
- 2 after the close of the first calendar quarter of the fiscal year ending
- 3 June 30, 2005, and not later than thirty days after the close of each
- 4 calendar quarter of each fiscal year thereafter, the Commissioner of
- 5 Correction shall submit, to the Governor and to the joint standing
- 6 committees of the General Assembly having cognizance of matters
- 7 relating to the judiciary and labor and public employees, a report
- 8 containing the number of: (1) Inmate disciplinary reports filed during
- 9 such calendar quarter; (2) inmate assaults on custodial staff reported
- 10 during such calendar quarter; (3) inmate assaults on other inmates
- 11 reported during such calendar quarter; and (4) workers' compensation
- 12 claims filed by custodial staff during such calendar quarter. Said

13 committees may hold a public hearing on any such report.

14 (b) If, during any calendar quarter, the number of disciplinary  
15 reports, assaults or workers' compensation claims reported in  
16 accordance with subsection (a) of this section has increased by more  
17 than five per cent from the number of such disciplinary reports,  
18 assaults or workers' compensation claims reported for the preceding  
19 calendar quarter or for the same calendar quarter of the preceding  
20 fiscal year, the commissioner shall include in the report submitted in  
21 accordance with subsection (a) of this section an explanation for such  
22 increase and a general description of the measures to be taken by the  
23 Department of Correction to address such increase.

24 Sec. 2. (*Effective from passage*) The Department of Correction shall  
25 conduct a study of the relationship between workers' compensation  
26 claims filed by custodial staff and the use of overtime by the  
27 department. Such study shall include, but not be limited to, a  
28 determination of whether the specific incident giving rise to each claim  
29 occurred (1) while the claimant was working overtime, or (2) within  
30 seventy-two hours after the claimant was working overtime. The  
31 Commissioner of Correction shall submit a report containing the  
32 findings of such study to the Governor and the General Assembly not  
33 later than January 1, 2005, in accordance with the provisions of section  
34 11-4a of the general statutes.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

**PRI**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Correction, Dept.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Department of Correction to (1) submit certain reports regarding inmate assaults and workers' compensation; and (2) study the relationship between workers' compensation claims and staff overtime. It is anticipated that the department would be able to handle these additional responsibilities within existing resources.

**OLR Bill Analysis**

HB 5405

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS  
COMMITTEE CONCERNING CORRECTION OFFICER STAFFING*****SUMMARY:**

This bill requires the Department of Correction (DOC) commissioner to submit reports of quarterly data to the governor and Judiciary and Labor committees on the number of:

1. filed inmate disciplinary reports,
2. reported inmate assaults on custodial staff,
3. reported inmate assaults on other inmates, and
4. filed workers' compensation claims by custodial staff.

She must submit the first report by October 30, 2004, which is 30 days after the end of the first calendar quarter of the fiscal year ending June 30, 2005. It appears that the next quarterly report is due by October 30, 2005, within 30 days of the end of the first quarter of the next fiscal year. Reports are then due within 30 days of the end of each quarter thereafter.

The bill authorizes the committees to hold a public hearing on any report.

If the number of disciplinary reports, assaults, or workers' compensation claims in a calendar quarter increases by more than 5% above the previous quarter or the same quarter in the previous year, the bill requires the commissioner to explain the increase in the report and describe measures to address it.

The bill also requires DOC to study the relationship between workers' compensation claims by custodial staff and overtime. The study must

include a determination of whether the specific incident giving rise to each claim occurred (1) while the claimant was working overtime or (2) within 72 hours of his working overtime. The bill requires DOC to submit its findings to the governor and General Assembly by January 1, 2005.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable Report

Yea 11      Nay 0